

**ANNUAL REPORT  
OF THE  
ADMINISTRATIVE RULES OVERSIGHT  
COMMITTEE**



**Indiana Legislative Services Agency  
200 W. Washington Street, Suite 301  
Indianapolis, Indiana 46204**

**November, 2006**

# INDIANA LEGISLATIVE COUNCIL

## 2006

Senator Robert Garton

Vice-Chairman

Columbus

Speaker Brian Bosma

Chairman

Indianapolis

Senator Richard Young

Milltown

Representative B. Patrick Bauer

South Bend

Senator James Merritt, Jr.

Indianapolis

Representative William Friend

Macy

Senator Patricia Miller

Indianapolis

Representative Kathy Richardson

Noblesville

Senator Thomas Wyss

Fort Wayne

Representative Timothy Brown

Crawfordsville

Senator David Long

Fort Wayne

Representative P. Eric Turner

Marion

Senator James Lewis

Charlestown

Representative Dale Grubb

Covington

Senator Earline Rogers

Gary

Representative Russell Stilwell

Boonville

Philip J. Sachtleben  
Executive Director  
Legislative Services Agency

# **ADMINISTRATIVE RULES OVERSIGHT COMMITTEE**

## **Membership Roster**

### **Representatives**

Michael Murphy  
Indianapolis

Jerry Denbo  
French Lick

Scott Pelath  
Michigan City

Phil Hinkle  
Indianapolis

### **Senators**

R. Michael Young, Chairperson  
Indianapolis

Luke Kenley  
Noblesville

Lindel Hume  
Princeton

Richard Young  
Milltown

### **Staff**

Sarah Burkman  
Attorney for the Committee

Chuck Mayfield  
Fiscal Analyst for the Committee

A copy of this report is available on the Internet. Reports, minutes, and notices are organized by committee. This report and other documents for this Committee can be accessed from the General Assembly Homepage at <http://www.in.gov/legislative/>.

## **I. STATUTORY DIRECTIVE**

IC 2-5-18-4 establishes the Administrative Rules Oversight Committee (AROC) and gives the Committee oversight over the rules of most state agencies. IC 2-5-18-8 specifies that the Committee's oversight functions include the authority to do the following:

Sec. 8. (a) The committee shall receive and may, at its discretion, review a complaint filed by a person regarding a rule or practice of an agency.

(b) The committee may review an agency rule, an agency practice, or a failure of an agency to adopt a rule.

(c) The committee may recommend that a rule be modified, repealed, or adopted.

(d) When appropriate, the committee shall prepare and arrange for the introduction of a bill to clarify the intent of the general assembly when the general assembly enacted a law or to correct the misapplication of a law by an agency.

Additionally, under IC 4-22-2-46, the Committee "shall carry out a program to review each rule adopted under this chapter [IC 4-22-2] that has a fiscal impact of more than five hundred thousand dollars (\$500,000)." Under IC 4-3-22-13, the Office of Management and Budget (OMB) is directed to: (1) perform a cost benefit analysis on each proposed rule; and (2) provide to the Governor and the Committee an assessment of the rule's effect on Indiana business. In accordance with the Committee's "program of review" under IC 4-22-2-46, the Committee may review, at the discretion of the Chair, any rule determined by the OMB, in its analysis under IC 4-3-22-13, to have a fiscal impact of more than \$500,000.

## **II. SUMMARY OF WORK PROGRAM**

The Committee did not meet or exercise any of its discretionary authority under IC 2-5-18-8 during the 2006 interim.

The Committee is not required to file a final report.

Meeting minutes for the Committee can be accessed from the General Assembly Homepage at <http://www.in.gov/legislative/>.